

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LIVE BRANDS HOLDINGS, LLC,

Plaintiff,

-against-

GASTRONOMICO GRACIAS A DIOS,
SOCIEDAD RESPONSABILIDAD
LIMITADA DE CAPITAL VARIABLE, et al.,

Defendants.

20-CV-01213 (AS)

ORDER

ARUN SUBRAMANIAN, United States District Judge:

It is HEREBY ORDERED that, in accordance with Paragraph 10.A of the Court's Individual Practices for Civil Cases, the parties shall file on ECF a proposed joint pretrial order by **October 16, 2023, at 5 p.m.** The proposed joint pretrial order shall also be sent to the Court by PDF attachment to an e-mail.

It is FURTHER ORDERED that, in accordance with Paragraphs 10.B and 10.D of the Court's Individual Practices for Civil Cases, each party shall file and serve along with the joint pretrial order all required pretrial filings, including motions addressing any evidentiary issues or other matters that should be resolved *in limine*; and joint requests to charge, joint proposed verdict forms, and joint proposed voir dire questions.

It is FURTHER ORDERED that, in accordance with Paragraph 10.C of the Court's Individual Practices for Civil Cases, the parties shall provide to the Court by **October 16, 2023, at 5 p.m.**, an electronic copy of each exhibit sought to be admitted (with each filename corresponding to the relevant exhibit number — e.g., “PX-1,” “DX-1,” etc.) on either a CD-ROM or a flash drive. If submission of electronic copies would be an undue burden on a party, the party may seek leave of Court (by letter-motion filed on ECF) to submit prospective documentary

exhibits in hard copy. Each hard copy shall be pre-marked (that is, with an exhibit sticker) and assembled sequentially in a loose leaf binder (not to exceed 2 1/2 inches in thickness) or in separate manila folders labeled with the exhibit numbers and placed in redweld folders labeled with the case name and docket number. The parties shall also provide, by e-mail to the Court, a Microsoft Word document listing all exhibits sought to be admitted. The list shall contain four columns labeled as follows: (1) "Exhibit Number"; (2) "Description" (of the exhibit); (3) "Date Identified"; and (4) "Date Admitted." The parties shall complete the first two columns, but leave the third and fourth columns blank, to be filled in by the Court during trial.

It is FURTHER ORDERED that, in accordance with Paragraph 10.F of the Court's Individual Practices for Civil Cases, by **October 27, 2023, at 5 p.m.** the parties shall file, if necessary, any opposition to any motion *in limine*; and any opposition to any legal argument in a pretrial memorandum.

It is FURTHER ORDERED that counsel for all parties shall appear for a final pretrial conference on **November 6, 2023, at 10:30 a.m.**, in Courtroom 15A of the Daniel Patrick Moynihan Courthouse, 500 Pearl Street, New York, NY 10007.

It is FURTHER ORDERED that prior to the Final Pretrial Conference, counsel for both parties, along with the parties themselves, shall meet in person for at least one hour to discuss settlement of this matter.

Finally, it is FURTHER ORDERED that that this matter is scheduled for trial beginning **November 13, 2023, at 9 a.m.** **That trial date should be treated as a firm date.** Counsel should immediately confirm the trial date with any and all witnesses and advise the Court if the date is a problem. If counsel fails to bring any such conflict to the Court's attention within the next three days, no adjournments will be granted on that basis. The parties are advised that the trial date will not be adjourned on account of a settlement in principle; put differently, unless the parties (1) file

a stipulation of dismissal or settlement or (2) appear in person to put the material terms of a settlement on the record (and the Court approves the settlement to the extent that such approval is required), the parties should be prepared to go to trial as scheduled.

SO ORDERED.

Dated: August 22, 2023
New York, New York

A handwritten signature in black ink, appearing to read 'Arun Subramanian', is written over a horizontal line.

ARUN SUBRAMANIAN
United States District Judge